

INDIANA FAMILY SOCIAL SERVICES

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MOTION FOR JUDICIAL REVIEW

-FILED-

JUN 03 2013

At ROBERT N. YAGOVICH M
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Your Honor, I am Pro Se and in disability with untreated nerve damage pains, and in part to this appeal of medicaid where we have the problems of constitutional issues that may be causing greater hardships (in their spend down money for some).

This is special circumstances that I believe involves an unusually and important legal principles and affects many (about 800 signed a petition and sent to Indiana Governor and Indiana General Assembly on this issue) but I believe its importance may affect thousands more in Indiana, and possible more Nation Wide.

Your Honor I have ^{Filed} a lot of papers, exhibits and arguments to Social Family Services (Medicaid and State of Indiana) to ALJ Shelly Goodfellow and it was all denied, as was their internal Review, so now I am instructed to find a court Judicial Review.

Your Honor, I have been given 33 days from April 30 stamped on the last review, and today is June 1, 2013 (31 days in April) and I hope it will be accepted postmarked today, as I attempted and was in the clerks office April 31 to file date this, but the forms shown from the clerk only showed 3 types (which to fill out) so I seen CIVIL and started filling it out and it stated who are you suing, and I knew than its not right.

I went next door to the District Court on Russell, the clerk looked at the Judicial Review that again I tried to file, and was not allowed (about the same at your court, you must fill out one of these forms).

Your Honor in my hardship letter enclosed I have tried research first then seeking legal aid any where, then trying to find which court, medicaid list no court, Clifford Law in Chicago was nice and said Federal Court, and keep your appeal date.

But that was just last week, I tried so many attorneys, so many websites, and even state and federal websites and found no guidance on any form or procedure to Judicial Review, Medicaid said look at Ind. Code which was absolutely no help.

postmarked and with all the attempts and I believe the Final Agency Review was received certified signed a week after it was sent out from April 30th.

Your Honor I have to ask again, I am in severe pains and its related to this issue I am appealing and it causes great distractions, I have tried disability advocates, legal aid, not one person would even inform me where to look how to file Judicial Review, what court, what forms, and all in horrible shooting pains nerve damage is the worst, and I was with out medication so I pray the post mark and attempts on camera and in person I was in the clerks office both courts and turned away so now I had to regroup and get this letter out.

Your Honor I have enclosed the first appeal to ALJ Goodfellow and the response to Agency Review so I hop that letter will mainly explain why I believe she and now Final Agency Review also has made an error, and that its decision should be reversed also.

Like I have said very sad that it is so hard just to find what court, what do you supposed to file, this very basic information by all means was not found, even trying to drop it off went wrong so I hope by looking over all the facts you will see and hope with the brief mainly the same arguments but its enclosed here for the purpose to show that it holds and out weighs because of its vital importance, when the Governor declares Medicaid is Broken .

www.fortwayne.com/apps/pbcs.dll/article?AID=/20120708/NEWS/320112590/1006/TOPNEWS

When an issue of great magnitude that affects a great number of people I believe and hope the courts will use their powers and use the facts enclosed to determine if this is of great cause and should be accepted. Here is the 800 people being affected and my self, in medicaid spend down that affects and my violate our rights being with disability and denied due process and equal protection to receive our needed medicines due to the problem of the spend down it self that is what they are praying for your help about because the state and of medicaid or family services do not care, do not respond.

<http://www.petitiononline.com/Premium/petition.html>

enclosed just to glance at some of the arguments that I believe the law judge and review have missed.

One she declared you cannot appeal the law. On or off her recorder. If that does not prevail here I lost because if a law is so corrupt and unconstitutional that affects so many into greater hardship and they the disabled among us? Is she wrong or right, if she is wrong than I believe she was biased and prejudiced the entire hearing and in appeal if the review on my 22 documents more than the original appeal (hat is why I believe you would need to see it) it clearly shows the facts and harms, and violations of law, and equal protects, and even possible extortion written into this spend down and they never comment on it at all?

Your Honor in closing this is pro se I am in great pains, the spend down is basically so costly when so many are in a disability in poverty levels and expected to pay a full priced premium of about 400 a month and it does not really exist, we do not pay into any premium health care and it sure is not affordable to its new Act.

The entire appeal of facts have to be enlisted into our judgment as a whole and decide what out weighs what here, if all the state has is they abide by poverty guidelines while avoiding our constitutional rights, equal protection, and all in the petitions nor my appeal facts to violations were ever addressed, your honor I listed other cases that show the courts have declared they violated liability, they tried to stop thousands from getting medicaid in the attorneys Servens case.

Your Honor there is nothing really new here it is the same facts and examples trying pro se and in pains that they are causing in this very appeal issues, but once they connected SSDI to SSI they violated our equal protection rights even in and when they calculate the poverty guidelines, once they placed us against SSI incomes and they do not have to pay 400 a month for any spend down that is when they should of calculated equally (SSI gets about 700 and they get Medicaid Free that's about 400 bonus that we are forced to spend down from about 1100, so one guy gets 1000 minus 400 that is 700 while similar situated compared SSI get about 700

Thee facts and allegations are raised yet being pro se and limited by pain and not able to communicate legally but the law judge and review may be bias and getting paid by the government they may feel they have to protect or brush away or overlook these issue and arguments of facts and points law and constitution violations.

I even met my spend down of 417 and still I am forced to pay more than that, I again had to leave my needed life needed medicines behind. Once at Walgreen's meds were 200 for only twenty day supply for nerve damage, I had to choose insulin 230 over nerve damage pain relief now over 500 I had to pay 80 more at CVS and left the rest. Its broken and someone is altering and keeping this spend down avoiding constitutional laws, and abuse of powers denying due process when they know or should know how to calculate when in equity equal protection rights dictate and out weigh state and federal rules, and under all rights under the Disability Rights Act of Access Rights to at least our medicines (while SSI can get theirs freely, any time, no spend down denying their due process rights, no spend down over costs paid, what is wrong here I call them they say you met 417 spend down and they have a card why cannot they get

weakest people out weighs a budget and our 400 should be going into a real premium and affordable why give to the pharmaceutical companies as a spend down rather than placing that money of all SSDI into paying the state? What the heck are they doing and thinking this is a total waste of money and causing is harms, and failing medicaid itself and the state and tax payers, there is so much more that the ALJ overlooked, here I am trying to settle this out of court and they don't care, the ship is going down, they are making cuts, can it be the forest and the tress deal?

I am a book and film writer just trying to promote sales and get off SSDI, and hope you may at least help those in the petition if not on my rambling arguments I am trying to explain this in the best light but I never seen anything more stupid and so unfair (I read the law states it may be wrong, but not illegal) but look at it this way you get a car then you find out it has no bumpers, and the dealer (medicaid using their fuzzy calculator prematurely) and knows it, and knows all the problems down the road that this car (the disabled SSDI) has troubles, it will need maintenance monthly at least 400, and that is the point here they know the car (we are disabled) there is common sense laws here they know or should know deal, they are acting like a dad car salesman, the car is a lemon (well we are disabled).

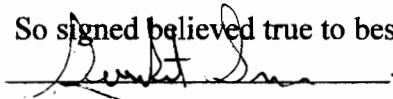
Beyond constitutional laws, and beyond business laws, and state and federal laws, we have our courts and Honorable Judges that have something more, know it I seen it in your decisions, your minds are near Gods Heart you are called to see beyond all this frustration and cries for mercy, and one person crying fowl, or you did me harm, or some try to avoid getting involved, again some how our courts and their Judges are needed and allow appeals, and not proper formats, or if filed may be okay if its postmarked pro se and in pain, But mainly when it affects so many others. I can I believe back up all these facts and issues, if need be in court, oral, and with medicaid to again try settle this.

Thing of it is they are not denying any of the constitutional violations, or any of the violations or unfairness, not one mention of fact have they denied or even raised in the appeal, hoping it

will go away. I hope you will not judge any of this if it is not properly presented, I am not a legal expert at all, it just points to a lot and hurts a lot, and feels like violations just to look at the petition, its meaning, where our SSDI money is pouring into is alarming and I hope and pray and also believe this was too much for any law judge to take in, but if it looks like such a disaster out of control, I believe they need help and maybe the Justice Department can Assist, if the Affordable Care Act does not bail them out, but we should not suffer as all you may read from a person on the inside facing and living it maybe I can be of some help and not seen as the trouble maker.

I have to get back to my films and inventions after this nerve damage stopped me cold. Please help those in the petition we do not know what the Affordable Care Act will introduce, but the states do not get funding unless they expand medicaid (the right way) and if allow this problem to continue it will just be brought up again. I don't want the state to suffer, but if they are allowing medicaid to fail to get bailed out that is what it looks like, if anything get SSDI to pay the state medicaid as a premium why pay the pharmaceutical companies is beyond my imagination.

So signed believed true to best of my knowledge under oath of perjury June 1, 2013



Robert Szanyi
4518 Pine
Hammond, IN 46327

Your Honor, I also have great invention ideas one for transportation, that would create millions of jobs, save the state and transform world travel, safe and no more accidents or Stopping, no DUI, no speeding violations, just smooth by some air pressure, and free generated static power that will supply extra to the grid, the rest is all ready in existence, I have the concept, just look at the banks outside teller machines the air transport tubes is a hint yet does something fantastic more, This is the Future . I am in a race with Elon Musk, and his Hyperloop idea. <http://en.wikipedia.org/wiki/Hyperloop> I offered a non disclosure on sharing some basic idea parts, with no reply.



"People
helping
people help
themselves"

Michael R. Pence, Governor
State of Indiana

Hearings and Appeals

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APR 30 2013

IN THE MATTER OF:

CASE NAME: ROBERT SZANYI

CASE NUMBER: FS-45-1003806765

HEARING DECISION RELEASE DATE: February 11, 2013

NOTICE OF FINAL AGENCY ACTION

The record of the administrative hearing and the Administrative Law Judge's Findings of Fact and Decision in the above identified case were reviewed by the Director of the Division of Family Resources, or their designee, and the agency hereby issues the following final order:

The Decision of the Administrative Law Judge dated **February 11, 2013 is affirmed**

This is the final action that the agency will be taking on this case. NO further consideration of this matter will be available through the Family and Social Services Administration.

However, if you have been the appellant in this matter, and are dissatisfied with this final agency action, you may ask that a court review the matter. This is a process called judicial review. **If you choose to file a petition for judicial review, it must be filed within thirty-three (33) days after the date on this notice.** Since this involves filing a legal petition with the appropriate court, as well as other specific requirements, it is advisable (but not required) to have legal representation or help. However, FSSA **cannot** provide or pay for this representation, nor can the agency assist beyond the general information provided here. More detailed information on this process can be found in Indiana law at I.C.4-21.5-5.

cc: ROBERT SZANYI
LAKE COUNTY DFR
GRANT SERVICE CENTER
SHELLY GOODFELLOW, ADMINISTRATIVE LAW JUDGE

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